

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION

KANYE BUSH

PLAINTIFF

V.

CIVIL ACTION NO.4:05CV183-MPM-JAD

CHRISTOPHER EPPS, et al

DEFENDANTS

**FINAL JUDGMENT AS TO CERTAIN DEFENDANTS**

On consideration of the file and records in this action, pursuant to 28 U.S.C. §636(b)(1)(B), an evidentiary hearing having been conducted on October 6, 2005, by the Magistrate Judge pursuant to 28 U.S.C. §636(b)(1)(B), and Spears v. McCotter, 766 F.2d 179 (5 Cir. 1985), the Court finds that the Report and Recommendation of the United States Magistrate Judge dated November 22, 2005, was on that date duly served by first class mail upon plaintiff and counsel for defendants; that more than ten days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by said parties. The Court is of the opinion that the Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore

**ORDERED:**

1. That the Report and Recommendation of the United States Magistrate Judge dated October 12, 2005, be, and it is hereby, approved and adopted, and that the proposed findings of fact and conclusions of law therein set out be, and they are hereby, adopted as the findings of fact and conclusions of law of the Court.

2. That Defendants Christopher Epps and Lawrence Kelly be and hereby are **dismissed with prejudice.**

THIS, the 21<sup>st</sup> day of November, 2005.

/s/ Michael P. Mills  
**UNITED STATES DISTRICT JUDGE**